

BURN TO DEATH FIGHTING POLICE

Anarchists, in Barricaded House, Hold Military at Bay.

THOUSANDS SEE TERRIFIC BATTLE

Desperadoes Fall in Seething Flames When Building Is Fired—Search of Ruins Reveals Remains of Only Two Men—Occurrence Greatly Stir London.

Widespread Plot.

London, January 4.—According to the Daily Telegraph, the police are in possession of information concerning a widespread anarchist plot, which is regarded as one of the gravest. The details are being kept secret.

London, January 3.—All London has been stirred by a terrible battle waged to-day between anarchists, on the one side, and hundreds of police infantry from the Tower and artillerymen, on the other. How many of the anarchist band took part in the engagement, which was fought in and around a barricaded house in Sidney Street, in the East End, is not definitely known, but to-day, after a search of the debris of the burned structure, portions of only two bodies have been discovered. The remains consist of the trunk and part of the head of one man and a few charred bones of another.

It is the opinion of some that two desperadoes alone, for many hours, held the police and military at bay. Thousands flocking from all parts of London, witnessed the thrilling spectacle, a steady rain of bullets, dashes of fire, smoke pouring from the windows, the house in flames, and finally men on the roof, shouting defiance and falling into the seething mass below.

A police sergeant, searching for the burglars who only a few nights ago killed four policemen, was reconnoitering around the Sidney Street house in the early hours of the morning. Suddenly a shot was fired and the sergeant fell, with a bullet through the lung. A call for police was sounded, and the entire neighborhood was cordoned. People were driven from their houses, and a pitched battle began between those fortified in the house and hundreds of policemen. The Scots Guards from the Tower were hastily dispatched to the scene, and later a battery of artillery, with Gatling guns, arrived at double quick. Their pieces were placed in position, but they did not open fire.

A steady stream of bullets played between the contending forces, and the gardamans took up sheltered positions, firing volleys from the windows. Piles of straw were cast in all directions and lighted, in the hope that the desperadoes would be smoked out. At last sparks were observed shooting from the windows, accompanied by clouds of smoke and there a jet of flames. A detachment of men stretched their hose and threw water on the adjoining structures. Soon they directed their streams against the stronghold of the desperadoes, which was burning fiercely. Driven from the lower floor, the anarchists made their way to the roof, where, it seemed to the watching thousands, several forms could be perceived amidst the driving smoke. Then the roof collapsed and with it the men.

Country Around. Not since the news of the British disasters at the opening of the South African campaign has the country been so aroused as by to-day's scene at Stepney. The newspapers call loudly for more effective means of dealing with the growing terrors of alien immigration, no doubt being held that the desperadoes who fell to-day were anarchists.

A search of the besieged house after the ruins had cooled a little revealed in a cupboard a large number of what appeared to be metal dynamite bombs, in an unfinished state. At present there is no evidence that the house had any other occupants than the two whose charred bodies were found.

Several police and civilians received minor injuries. Immense crowds of sightseers invaded the neighborhood until a late hour to-night, but a strict police cordon was maintained, and it was impossible for the curious to get close to the half-ruined building. Two families who occupied the lower floors of this building were withdrawn by the police before the fighting began, and they profess to know nothing of how the desperadoes gained access to the house. The latter appear to have been in rooms rented by a Russian woman, Bessie Gershon, who is now under arrest with other suspects, against whom, however, no charge has yet been made. The police officers show aggravation at the calling out of the soldiers. They express confidence that they could have handled the affair without the help of the military. The last occasion on which the military was so employed was at the time of the notorious Trafalgar Square riots, when John Burns was arrested. Even then the soldiers did not fire.

Identify Not Certain. It is somewhat difficult to establish the identity of the dead desperadoes, how the police tracked them, but according to the latest reports it is practically certain that one is "Dutch Fritz," and the other is "Peter the Painter," for whom the police are still searching.

All the wounded are doing well. Sergeant Lessen is in a serious condition, but is expected to recover.

Restaurant Keeper Murdered. Muskogee, Okla., January 3.—With the head almost severed, the body of C. H. Anderson was found in his restaurant here to-day, where he had been killed by unknown persons. A broken razor and a bloody butcher knife were found near the body. Anderson, a desperado, indicated that he had fought desperadoes in plants. There has been no arrest made.

MASKED BANDITS ROB PASSENGERS

Southern Pacific's Overland Limited Held Up at Rees.

PORTER IS KILLED ONE OTHER SHOT

Officials Believe Robbers Are Former Railroad Men—Highwaymen Get Away With About \$1,200 Cash—All but Three Persons on Train Searched.

Ogden, Utah, January 3.—Working on the theory that the two masked bandits who held up the Southern Pacific Overland Limited at Rees, early to-day, are hiding here, every rooming house in the city is being searched, and all suspects are being taken into custody.

There are now working on the case all the detectives of the Harbison and private detectives in addition to the sheriffs and police of Salt Lake, Weber and Boxelder counties.

Five suspects, answering the description of the robbers, were arrested early this evening.

Because of the skill of the bandits in directing the train crews in handling the train, railroad officials say the robbers are former railroad men.

The bandits not only displayed a knowledge of a domestic block signal apparatus, but also showed that they were informed in the method of the operation of trains by the Southern Pacific.

The semaphore, which halted the train, was ingeniously tampered with. The lock on the box had been broken, the door opened, and a match inserted to prevent the copper contacts from touching, thereby throwing the signal in the block and stopping the train.

Story of Platoon. H. H. Hancock, foreman on the Overland Limited, who was compelled to carry the sack in which the bandits collected the valuables, gave the following account of the robbery to-day: "About 11:30 last night, the train was stopped a mile and a half west of Rees station by an intermediate block signal. Brakeman Cross went ahead to locate the trouble. I went east to protect the rear of the train. I had gone about a third of a mile when I was signalled by the engineer to return.

"Just as I was about to step to the rear platform, I was confronted by two ugly guns, and heard a stern command to get on the platform and do it quick. I climbed on, just as the train started, and two men followed me. As soon as we were together on the platform, one of the men said:

"Here you, take this sack and hold it as we go through the train."

"Entering the car, they found the door of toilet room locked and one of them tried to break it. Both carried sawed-off repeating shot guns, and each had a revolver in a belt, well filled with shells."

Hancock described the robbers, saying that one was tall, while the other was short.

"At one of the berths two young women protested that they did not have any money, and the robbers pushed the gun violently against the breast of one and struck the other over the right eye with the butt of the weapon."

Shoots Porter Dead. "When we came to the drawing room of this car, William Davis, the porter, tried to keep the robbers out. The short man deliberately raised his gun and fired. Davis fell to the floor dead, and Taylor, the other porter, grappled with the robber and wrestled his revolver from him. Taylor dropped to the floor wounded. By this time the train had reached Rees, and Brakeman Cross had boarded. We were just starting to gain speed when the robbers reached for the cord and released the air, bringing the train to a stop. Engineer Rowe got off to try and locate the trouble, and the robbers ordered me to get off the train with them."

"A minute or two later the engineer returned to our side of the train, and while one of the robbers covered him, and ordered him to his cab, the other commanded me to cut the train back of the baggage car. I made an attempt to do so, or pretended to do so, when he said:

"Get out of that! Let me cut it. You are altogether too slow. I was then ordered to signal the engineer to pull up slowly. The engine moved forward, and I was told to stand right where I was for a few minutes. A little later the engine and baggage car passed me, going on the siding."

There were twenty-seven passengers on the Overland, and all but three were released. The total loot is placed at \$1,100 to \$1,200 by railroad officials.

WILL CARRY \$250,000,000

Post-Office Appropriation Bill Will Break All Records. Washington, D. C., January 3.—When the post-office bill is reported to the House about January 10, it will carry upwards of \$250,000,000, appropriations. The bill is the largest in the history of the post-office, and is attributed to the normal increase in the postal service, which now employs an army of 320,000 employees.

WILLIAM T. WARDELL DEAD Was Prohibition Candidate for Mayor and for Governor of New York. New York, January 3.—William T. Wardell, prohibition candidate for Mayor of New York in 1896 and for Governor in 1900, was taken ill in the subway this afternoon, and died fifteen minutes later in a hotel in East Twentieth Street. He was born in Bristol, R. I., eighty-four years ago. He was a treasurer of the Standard Oil Company.

COUNCIL FAILS TO CONFIRM AWARD

Rejects, Then Sends Back Contract for Boulevard Gas Lamps.

LIGHTING SYSTEM GETS HARD RAPS

Committee Instructed to Find Out if Two or Three Stories May Be Added to City Hall. Blake and Lynch Attack Work of City Officials.

Refusing to confirm an award of contract to the American Street Lighting Company for the operation of ornamental gas lamps in streets and alleys, the Common Council last night went into a general discussion of the system of street lighting prevailing in Richmond, the belief being expressed that the gas lamps were not giving the illumination and were using twice the amount of gas specified, and that the lights furnished by the Virginia Railway and Power Company were at least one-third below the specified candlepower. Reference was made to the fact that the Broad Street lights are not as brilliant as had been anticipated and the ability of the municipal electric plant to light the whole city was discussed.

Among other matters of interest in an extended session was a general criticism of city officials because of the fact that many buildings are reported as not erected on the true lines, the new Stumpf Hotel encroaching seventeen inches on the alley in rear. On the roll call companion resolutions were adopted, one inquiring into the cost of adding three stories to the City Hall, and the other proposing the acquisition of the Ford's Hotel site for a municipal courthouse.

Three Stories to City Hall. Mayor Richardson presented a veto message on the ordinance instructing the City Attorney to acquire the block bounded by Eleventh, Twelfth, Broad and Capitol Streets on account of a defect in the text of the paper. The Mayor stated that he fully concurred in the propriety of acquiring the property for the purposes mentioned.

His veto was sustained, and later Chairman Pollard, of the Finance Committee, introduced a revised paper meeting the objections pointed out, and it was adopted under suspension of the rules. The companion paper, also offered by Mr. Pollard, and adopted under suspension, directs the Grounds and Buildings Committee to make an inquiry into the advisability and proposed cost of adding two or three stories to the City Hall.

Some New Matters. Among new propositions coming up on roll call was one from President Peters appropriating \$50,000 to replace the corner of Madison and Cary Streets, which went to the Finance Committee, a resolution offered by Mr. Ratcliffe instructing the City Attorney to acquire the triangle bounded by the Boulevard Park Avenue and Cary Street, and one offered by Dr. Reade directing the Finance Committee to include in the 1911 budget \$10,000 for advertising the resources of the city.

Advising the resources of the city, which went to the Finance Committee, a resolution offered by Mr. Pollock, and adopted under suspension of the rules, approving the appointment of Judge Beverly T. Crump as the sole arbitrator as to the joint use of the Boulevard Park Avenue and Cary Street, and one offered by Dr. Reade directing the Finance Committee to include in the 1911 budget \$10,000 for advertising the resources of the city.

Church Is Packed. Grace Methodist Episcopal Church here, where the services over Miss Elosser took place, was packed. In his sermon, Dr. W. W. Van Arsdale, the pastor, and a long-time friend of the Elosser family, spoke feelingly of the death of the young woman whose body, attired in the white satin dress that was to have been her wedding gown, lay in its casket before him, and denounced those who are of the opinion that she killed herself.

The funeral took place from the Methodist Episcopal Church at 10 o'clock, and burial was in the cemetery adjoining the church. The entire Elosser family will be put on the stand at the coroner's inquest. It is understood, Mr. Elosser said to-day that he and his family will freely tell all they know at the inquest, in order to clear up the mysterious death of their daughter and Twigg.

Fatal Coal Dust Explosion. Denver, Col., January 3.—Three workmen were killed and seven injured, one or two probably fatally, in an explosion of coal dust to-day in the pulverizing-room of the Portland cement works at Portland, six miles from Florence, Col.

Blizzardy Weather Prevails in the South

Atlanta, Ga., January 3.—Blizzardy weather, which has been riding into the South for the past two days, reached the Gulf and South Atlantic States to-day. Freezing temperatures, following heavy rains, were reported from various points in Mississippi, Alabama and Georgia, the heaviest being at Mobile. Snow was general throughout the northern and central parts of the Gulf States.

General heavy rains in all the South Atlantic States to-day were followed by falling temperatures to-night, and the full strength of the cold wave is expected to-morrow.

EARTH SHOCKS RECORDED

Scientists Estimate That Centre of Disturbance Is 3,000 Miles Away. Mobile, Ala., January 3.—A series of violent earth shocks were recorded by the seismograph at Spring Hill College this evening, commencing at 6:14 and continuing for twenty-four minutes, the maximum being reached at 6:29. One heavy wave was also recorded at 6:57 o'clock. Tremors were recorded almost continuously throughout the day. Scientists estimate that the centre of the disturbance is more than 2,000 miles away.

PRINCIPALS IN CUMBERLAND MYSTERY



CHARLES EDWARD TWIGG.

OFFICERS SEARCH ELOSSER HOME

Find Nothing Calculated to Help Clear Up Murder Mystery.

TWO FUNERALS ARE HELD

State's Attorney Robb Eliminates Theory of Suicide Pact.

Cumberland, Md., January 3.—Three days have passed since the dead bodies of Miss Grace Elosser and Charles E. Twigg, who were to have been married last Sunday night, were found in the parlor of the Elosser home. Save for the almost self-evident facts, such as that the two died from the effects of poisoning by cyanide of potassium, the authorities to-night are precisely where they started in their efforts to solve the mystery of the two deaths. The only development of importance appears to be that a detective has at last been set to work on the case.

State's Attorney Robb and other officials, in a thorough search of the Elosser home to-day, but say they found nothing whatever calculated to help clear up the mystery.

Suicide Pact Eliminated. For the first time since the discovery of the dead bodies of Twigg and Elosser, the State's attorney, Robb, has made a statement. He declared positively to-day that the suicide pact in his investigation must be eliminated. He said also that his opinion was that the cyanide gun found in the mouth of Twigg did not contain potassium cyanide or any of its equivalent, although he is positive that the death of the pair was caused by cyanide of potassium or hydro-cyanic acid solution.

Ridicules Candy Theory. He further said that the theory advanced by some that the poison may have been administered by means of candy was ridiculous.

Mr. Robb's granting area and other permits to the State's attorney, a resolution offered by Mr. Pollock appropriating \$15,000 to the sinking fund to take up the issue of city bonds falling due January 1; resolution offered by Mr. Boschen appropriating \$10,000 for made in the hills, which went to the Finance Committee; resolution offered by Mr. Brown appropriating \$50 to complete repairs on Washington Ward Jail, which was adopted; ordinance offered by Mr. Butler instructing the Board of Health to clean up to clean periodically street basins and water troughs; resolution offered by Mr. Lynch providing current from the municipal electric plant for lights on the Richmond and Henric Railway, which went to the Finance Committee; and an ordinance amending the City Code concerning wire conduits, which went to the Committee on Streets.

Mayor Richardson forwarded to the Council for comment a statement from Charles E. Twigg, regarding the contract for the city docks, which was referred to the Finance Committee, which has before heard and dismissed Mr. Walters' complaint.

To Get Boulevard Cost. From the Board of Aldermen came over for concurrence a resolution appropriating \$50 to pay the expenses of L. McK. Juddkins, appointed by the Mayor as a delegate to the American Association convention.

Opinion of the City Attorney is presented to the effect that the Council has no legal right to make such an appropriation, and the Council refused to concur. Later Mr. Blake attempted to have the matter reconsidered, but the body refused to reopen the question. An appropriation of \$1,000 to the National Rivers and Harbors Commission was concurred in, as was an appropriation of \$2,751.25 for construction of a sewer in Seventeenth Street.

The entire Elosser family will be put on the stand at the coroner's inquest. It is understood, Mr. Elosser said to-day that he and his family will freely tell all they know at the inquest, in order to clear up the mysterious death of their daughter and Twigg.

HELD FOR \$300 BAIL

Man Charged With Mutiling New Year's Greeting Under Senator's Frank. Philadelphia, Pa., January 3.—The man charged with mutilating New Year's greetings under the Frank J. Stivers, of Oregon, Ernest J. Stivers, of this city, was to-day held in \$300 bail by United States Commissioner Craig. Postal Inspectors Heger and Stevens, who is a dealer in medical instruments, secured 500 copies of a speech which Senator Bourne delivered in this city early last year. They were in unaddressed envelopes, bearing Senator Bourne's name. Copies of the speech, and Stevens' business card, with New Year greetings, it is alleged, were mailed in the franked envelopes.

STATE OF UNREST IN PUERTO CORTES

Attack by Bonilla Revolutionists Is Momentarily Expected.

U. S. MARINES NOT LANDED

Only Five Hundred Soldiers Available for the City's Defense.

Puerto Cortes, Honduras, January 3.—This city is still in a state of unrest because of a momentarily expected attack by the Bonilla revolutionists. Nothing has been heard from the gunboat Hornet since Thursday night, when she was reported as having been signaled outside the harbor.

Imminent Danger of Capture. Mobile, Ala., January 3.—That the city of Puerto Cortes is in imminent danger of being captured by the Honduran revolutionists, under former President Bonilla, and General Lee Christmas, who left the United States a short time ago to take charge of the revolutionary forces, is evident from the information contained in a letter forwarded to-day by Dr. R. H. Von Esch, of the United States Marine Hospital Service, who is in the town with conditions in the Central American republic.

The letter, among other things, states that the authorities at Puerto Cortes are expecting an attack by Bonilla's forces at any time, and believe the city will be captured by the revolutionists, as Davilla has only 500 soldiers available for the city's defense.

The Norwegian fruit steamer Agnella, which arrived this afternoon from Ceiba and other Central American ports, brought advices to the effect that the Honduran gunboat Tatumilla was at Ceiba when the Agnella sailed. No advices had been received at that time relative to the whereabouts of the gunboat Hornet, said to have been recently purchased at New Orleans by emissaries of Bonilla.

F. Buckner, who has been in Honduras for several months, says that news of the revolution is scarce, even in Honduras, and that the inhabitants of the smaller ports anxiously await the arrival of each steamer, in order to secure newspapers containing the Associated Press reports.

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TO DRIVE JAPS OUT

Chinese in Manchuria Organize Secret Society. Peking, January 3.—It is reported that the Chinese in Manchuria have organized a secret society of large membership, with the object of driving the Japanese out of the country. Reports that the Japanese are strengthening their position in Manchuria have caused considerable unrest in certain circles here, where rumors of Japanese aggression are spread. Similar stories of Russia's purpose to occupy Harbin and the intermediate country from the frontier are circulated.

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JUSTICES TAKE OATH OF OFFICE

New Members of United States Supreme Court Enter Upon Duties.

BENCH IS NOW COMPLETE

Judges Van Devanter and Lamar the Latest Acquisitions.

Washington, January 3.—The two vacancies on the bench of the Supreme Court of the United States were filled to-day, when Judge Willis Van Devanter, of Wyoming, and Judge Joseph R. Lamar, of Georgia, each took the oath of office as associate justice and began immediately the performance of the duties of that position. For the first time in nineteen months the bench was complete. For the first time since the organization of the court, nearly a century ago, a quarter ago, one President has commissioned within a single year five men who sat upon the bench.

Oath Administered Privately. The ceremonies attending the elevation of the two judges to the Supreme Court bench were, as usual, simple throughout. Chief Justice White administered to each the oath of allegiance. It was the first occasion upon which he had performed this duty. The administration of this oath took place behind the closed doors of the court, just before the court took its place on the bench at noon.

In open court, immediately after the Justices had taken their places, Chief Justice White announced that the new members were present and ready to take the oath. He referred to the judicial oath.

Escorted to Their Chairs. The clerk of the court was directed to read the commissions. Then Justice Van Devanter, having been named first by the President, took the oath, and was escorted by the marshal to the chair on the extreme right of the chief justice. Justice Lamar, after he had taken the oath, was shown to his seat, which was at the extreme left of the chief justice.

Justice Lurton shook hands with Justice Van Devanter, and Justice Hughes congratulated Justice Lamar. This ended the ceremony.

F. Buckner, who has been in Honduras for several months, says that news of the revolution is scarce, even in Honduras, and that the inhabitants of the smaller ports anxiously await the arrival of each steamer, in order to secure newspapers containing the Associated Press reports.

First's First Appointment. Exactly a year ago, January 3, 1910, Justice Lurton took the oath of office as an associate justice. He was the first appointee to that bench made by President Taft. He succeeded Justice Peckham, deceased. Then Justice Brewer and Chief Justice Fuller died and Justice Moody retired. Justice Hughes was appointed to succeed Justice Brewer. Associate Justice White was appointed to succeed Chief Justice Fuller, and to-day Justice Van Devanter took the place of Justice Moody, and Justice Lamar succeeded to the vacancy created by the promotion of Justice White. All these changes in the personnel on the bench have taken place within a single year, with the exception of the death of Justice Peckham.

Five Changes Within a Year. Within a year President Taft thus has placed on the bench Associate Justices Lurton, Hughes, Van Devanter and Lamar and made Associate Justice White the chief justice. While the chief justice, Justice Peckham, deceased. Then Justice Brewer and Chief Justice Fuller died and Justice Moody retired. Justice Hughes was appointed to succeed Justice Brewer. Associate Justice White was appointed to succeed Chief Justice Fuller, and to-day Justice Van Devanter took the place of Justice Moody, and Justice Lamar succeeded to the vacancy created by the promotion of Justice White. All these changes in the personnel on the bench have taken place within a single year, with the exception of the death of Justice Peckham.

Declared Constitutional. Washington, D. C., January 3.—The bank guaranty laws of Oklahoma, Nebraska and Kansas were declared to-day constitutional by the Supreme Court of the United States, and thus the right over the establishment of the policy of guaranteeing the deposits of the State of deposit in banks was won by the advocates of such a policy.

The opinion of the court in the cases was announced by Justice Holmes. He said the main objection to the laws was that the assessment of banks by the State in order to create a fund to guarantee the deposits in other banks within the State took private property of one bank for the private use of another, without compensation.

"In the first place," said Justice

NEWSPAPER WINS IN ITS APPEAL TO SUPREME COURT

Government Fails to Maintain "Panama Canal Libel Suit."

BANK GUARANTY LAWS ARE UPHELD

Highest Tribunal Declares Unconstitutional Alabama "Contract Law"—Railroads Lose Fight Against Amendment to Hepburn Rate Law.

Washington, D. C., January 3.—By a unanimous decision the Supreme Court of the United States to-day decided that the Federal government could not maintain the so-called "Panama Canal libel suit" against the Press Publishing Company, of New York, in the Federal courts of New York. In so holding the court affirmed the decision of the Circuit Court of the United States for the Southern District of New York, which had quashed the famous indictment.

In effect, the decision was that the Federal court has no jurisdiction over the alleged offense, because the case might have been brought in a State court.

The Press Publishing Company, publisher of the New York World, was indicted in March, 1909, in the Circuit Court of the United States for the Southern District of New York on a charge of libel.

In effect, the alleged libel was the publication of articles stating that Charles P. Taft, David Robinson and William Nelson Cromwell, with J. Pierpont Morgan and others, obtained control of the Panama Canal route for about \$30,000,000, and by the co-operation of Theodore Roosevelt, then President of the United States, and another in-law of Mr. Robinson, and William H. Taft, then Secretary of War, and brother of Mr. Taft, were enabled to effect the sale of the Panama Canal to the United States at a profit of \$30,000,000.

Claimed Jurisdiction. The United States claimed jurisdiction to punish the alleged libel on the theory that the publisher had committed a crime upon Federal territory at West Point, N. Y., and that the post-office building in New York City.

It was argued that wherever the papers containing the alleged libelous articles might have been printed, that they were technically "published" upon these Federal reservations, and that the Federal government had the power to punish such publishing.

The indictment was quashed on the ground that the court was without jurisdiction of the crime libel charged in the indictment, which was a crime under Federal territory, all acts done under this construction of the statute, under which it claimed the indictment was authorized.

The decision of the court to-day dealt with the act of Congress in 1898, under which the indictment was brought. The effect of this act was to incorporate the criminal laws of the several States in force on July 1, 1898, into the Federal statute and reservations within the Federal States.

Among these State laws was a New York libel law.

The court, through Chief Justice White, stated that while the statute left entire to the State the power to punish where acts were done on the ground that the acts were prohibited and punished as crimes by law of the United States, that law was dominant and controlling, yet, on the other hand, where no law of the State had been expressly provided for the punishment of offenses committed on reservations, all acts done on such reservations which were made criminal by the laws of the several States were left to be punished under the applicable State statutes.

Chief Justice White said that the investigation plainly established: First—That adequate means were afforded for punishing the circulation of a libel under a United States reservation by the State law in the State courts, without necessity of resort to the courts of the United States for redress.

Second—That resort could not be had to the courts of the United States to punish an act of publishing a newspaper libel by circulating a newspaper on the reservation upon the theory that such publication was an independent offense, separate and distinct from the primary printing and publishing of the libelous article within the State of New York, without disregarding the laws of that State and frustrating the plain purpose of such law, which was that there should be but a single prosecution and continuation.

"The propositions being true, it follows in the light of the act of 1898, which we have given the act of 1898 that the court was right in quashing the indictment as not authorized by that act. No other conclusion, we think, was possible, as the court could not have sustained the indictment without giving to the statute a meaning directly conflicting with the construction which we have affixed to it."

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